

H8FTCAMP

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -----x

4 UNITED STATES OF AMERICA,

5 v.

15 CR 95 (AJN)

6 HAKEEM CAMPBELL,

7 Defendant.
-----x

8 New York, N.Y.
9 August 15, 2017
10 11:05 a.m.

12 Before:

13 HON. BARBARA C. MOSES,

14 Magistrate Judge

15 APPEARANCES

16 JOON H. KIM
17 Acting United States Attorney for the
18 Southern District of New York

RACHEL MAIMIN
17 Assistant United States Attorney

18 MICHAEL KORIBANICS
19 Attorney for Defendant

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1 (In open court, case called)

2 MS. MAIMIN: Good morning, your Honor, Rachel Maimin
3 for the government.

4 THE COURT: Good morning, Ms. Maimin.

5 MR. KORIBANICS: Good morning, Michael Koribanics. I
6 represent Hakeem Campbell, who is in custody to my right.

7 THE COURT: Good morning, Mr. Koribanics, and good
8 morning, Mr. Campbell.

9 I understand that we are here for a change of plea.
10 Mr. Campbell, having previously pleaded not guilty, now wishes
11 to plead guilty to Count One of the indictment in this matter.
12 Is that correct, counsel?

13 MR. KORIBANICS: Yes, Judge.

14 THE COURT: And Mr. Campbell, English is your best
15 language?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: Very well. I have been handed a form
18 entitled Consent to Proceed before a United States Magistrate
19 Judge on a Felony Plea Allocution, which appears to bear your
20 signature.

21 Mr. Campbell, is that your signature on the form?

22 THE DEFENDANT: Yes, ma'am.

23 THE COURT: What the form says is that you know you
24 have a right to have your plea taken by a United States
25 district judge, but you are agreeing to have your plea taken by

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1 a United States magistrate judge, which is what I am. I'm
2 Magistrate Judge Moses. As a magistrate judge, I have the
3 authority to take your plea with your consent, and you are
4 entitled to all of the same rights and protections as if you
5 were before a district judge. If you are found guilty and
6 sentenced, you will be sentenced by a district judge.

7 Did you sign the consent form voluntarily?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: And before you signed it, did your lawyer
10 explain it to you?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: Do you wish to proceed with your plea
13 before me this morning?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Very well. Your consent is accepted.

16 So Mr. Campbell, as I previously discussed with your
17 lawyer, I have been told that you wish to change your plea and
18 to enter a plea of guilty as to Count One of the indictment.
19 Is that correct?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: Before deciding whether to accept your
22 guilty plea, I need to ask you a series of questions. It's
23 important that you answer my questions honestly and completely.
24 The purpose of these proceedings is to make sure that you
25 understand your rights, to make sure that you are pleading

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1 guilty of your own free will, and to make sure that you are
2 pleading guilty because you are guilty and not for some other
3 reason. Do you understand what I am saying?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: If you don't understand any of my
6 questions or if you wish at any time to consult with your
7 lawyer, please let me know and I will give you a moment to do
8 that. It is important that you understand every question
9 before you answer.

10 Would you raise your right hand, please, Mr. Campbell.

11 I will ask Mr. Snell to swear you in.

12 (Defendant sworn)

13 THE COURT: You may put your hand down.

14 Do you understand that you are now under oath?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: What that means is if you answer any of my
17 questions falsely, you could be prosecuted for perjury.

18 What is your full name, please?

19 THE DEFENDANT: Hakeem Campbell.

20 THE COURT: Do you have a middle name?

21 THE DEFENDANT: Yes, ma'am.

22 THE COURT: What is that?

23 THE DEFENDANT: Hakeem Desmond Alfonso Campbell.

24 THE COURT: Two middle names. Hakeem Desmond Alfonso
25 Campbell.

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1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: How old are you?

3 THE DEFENDANT: I'm 24 years old.

4 THE COURT: Are you a U.S. citizen?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: How far did you go in school?

7 THE DEFENDANT: Eleventh grade.

8 THE COURT: Did you finish the eleventh grade?

9 THE DEFENDANT: No, ma'am.

10 THE COURT: You got partway through the eleventh
11 grade?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: Can you read and write in English?

14 THE DEFENDANT: Yes, ma'am.

15 THE COURT: Are you now under the care of a medical
16 doctor or a psychiatrist or psychologist for any reason?

17 THE DEFENDANT: No, ma'am.

18 THE COURT: Have you recently been under the care of a
19 doctor or psychiatrist or psychologist?

20 THE DEFENDANT: For psychiatric reasons?

21 THE COURT: So tell me about that.

22 THE DEFENDANT: No, ma'am.

23 THE COURT: What about a regular medical doctor?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: When were you last under the care of a

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1 medical doctor?

2 THE DEFENDANT: Sometime about two or three months
3 ago.

4 THE COURT: What was that for?

5 THE DEFENDANT: I had suffered a broken jaw.

6 THE COURT: I see. Has that been taken care of?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Very well. And since then have you needed
9 to see a doctor?

10 THE DEFENDANT: No, ma'am.

11 THE COURT: Do you have any condition that affects
12 your ability to see or to hear?

13 THE DEFENDANT: No, ma'am.

14 THE COURT: Your broken jaw did not affect your vision
15 or your hearing?

16 THE DEFENDANT: No, ma'am.

17 THE COURT: Do you have any condition that affects
18 your ability to think or to understand or to make judgments or
19 decisions on your own behalf?

20 THE DEFENDANT: No, ma'am.

21 THE COURT: In the last 24 hours have you taken any
22 drugs or medicine or pills, whether or not prescribed by a
23 doctor, that affects your mental processes?

24 THE DEFENDANT: No, ma'am.

25 THE COURT: In the last 24 hours have you consumed any

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1 alcohol?

2 THE DEFENDANT: No, ma'am.

3 THE COURT: Is your mind clear today?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Do you understand what is happening in
6 this proceeding?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Does either counsel have any objection to
9 the defendant's competence to plead?

10 MS. MAIMIN: No, your Honor.

11 MR. KORIBANICS: I do not, Judge.

12 THE COURT: Very well. Mr. Campbell, have you
13 received a copy of the indictment in this case, specifically
14 the superseding indictment, which contains the formal legal
15 charge against you?

16 THE DEFENDANT: Yes, ma'am.

17 THE COURT: Have you read it?

18 THE DEFENDANT: Yes, ma'am.

19 THE COURT: Do you want me to read it to you?

20 THE DEFENDANT: No.

21 THE COURT: Thank you. Do you understand what it says
22 that you did?

23 THE DEFENDANT: Yes, ma'am.

24 THE COURT: Have you had time to talk to your attorney
25 about the charges and how you wish to plead?

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1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: Has your attorney explained the
3 consequences of pleading guilty?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: Are you satisfied with your attorney's
6 representation of you so far?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: I'm going to explain certain
9 constitutional rights that you have. You have these rights,
10 but they are rights that you will be giving up if you enter a
11 guilty plea, so please listen carefully to what I am going to
12 tell you. If you don't understand something, stop me, and
13 either your attorney or I will explain the issue more fully.
14 Will you do that?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Under the Constitution and laws of the
17 United States, you have the right to plead not guilty to all of
18 the charges against you contained in the indictment. Do you
19 understand that?

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: If you plead not guilty, you will be
22 entitled under the Constitution to a speedy and public trial by
23 a jury of all of those charges. At the trial you will be
24 presumed innocent, the government will be required to prove you
25 guilty beyond a reasonable doubt before you could be found

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1 guilty. You could not be convicted unless a jury of twelve
2 people agreed unanimously you that you were guilty beyond a
3 reasonable doubt. Do you understand that?

4 THE DEFENDANT: Yes, ma'am.

5 THE COURT: If you went to trial then at that trial
6 and at every stage of the case you would have the right to be
7 represented by an attorney. If you couldn't afford one, an
8 attorney would be appointed at no cost to you. Even if you
9 retained a private lawyer and then ran out of money, an
10 attorney would be appointed at no charge to you to continue
11 your representation. You would be entitled to an attorney all
12 the way through trial and not just for a guilty plea. So your
13 decision to plead guilty should not depend on whether you can
14 afford a lawyer. Do you understand that?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: During a trial the witnesses for the
17 prosecution would have to come to court and testify in your
18 presence where you could see them and hear them and your
19 lawyers could cross-examine them. If you wanted, your lawyer
20 could offer evidence on your behalf as well. Your lawyer would
21 be able to use the power of the court known as subpoena power
22 to require witnesses to come to court to testify even if they
23 did not want to come. Do you understand that?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: At a trial you would have the right to

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1 testify in your own defense if you wished. You would also have
2 the right not to testify. If you chose not to testify, that
3 could not be used against you in any way. No inference or
4 suggestion of guilt would be permitted from the fact that you
5 did not testify. Do you understand that?

6 THE DEFENDANT: Yes, ma'am.

7 THE COURT: If you were convicted at trial you would
8 have the right to appeal that verdict to a higher court. Do
9 you understand that?

10 THE DEFENDANT: Yes, ma'am.

11 THE COURT: And as I said before, you have the right
12 to plead not guilty. Even today I know you came to court for
13 the purpose of pleading guilty, but you have the right to
14 change your mind, persist in your not guilty plea, and to go to
15 trial. But if you do plead guilty, and if the Court accepts
16 your plea, you will give up the right to a trial and the other
17 rights that go with it that I just described to you. If you
18 plead guilty, there will be not be any trial. All that will
19 remain to be done will be to impose a sentence. You and the
20 government will be able to make certain arguments about what
21 that sentence should be, but there will not be any further
22 trial to determine whether you are guilty or not guilty of the
23 charges to which you plead guilty. Do you understand that?

24 THE DEFENDANT: Yes.

25 THE COURT: Do you also understand that the decision

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1 as to the appropriate sentence in your case will be entirely up
2 to the sentencing judge, Judge Nathan?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: Not me, not the government, not your
5 lawyer. Judge Nathan will be limited only by what the law
6 requires. This means that even if you are surprised or
7 disappointed by your sentence, you will still be bound by your
8 guilty plea and you won't be able to take it back. Do you
9 understand that?

10 THE DEFENDANT: Yes, ma'am.

11 THE COURT: Finally, if you do plead guilty, you will
12 be giving up your right not to incriminate yourself. That
13 means that I can and I will ask you questions about what you
14 did. You will have to answer those questions truthfully. The
15 purpose of those questions is to satisfy me that you are
16 actually guilty. By pleading guilty, in other words, you will
17 be admitting what lawyers call your factual guilt as well as
18 your legal guilt. Do you understand that?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: Count One of the indictment in your case
21 charges you with participating in a racketeering conspiracy in
22 violation of Title 18 of the United States Code, Section
23 1962(d), from at least in or about 2007 up to and including in
24 or about 2016. I'm going to ask the Assistant United States
25 Attorney, Ms. Maimin, to state the elements of that charge.

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1 The elements are the things the government would have to prove
2 beyond a reasonable doubt at trial.

3 MS. MAIMIN: If this case proceeded to trial, the
4 government would have to prove the following elements on Count
5 One: First, that there was an agreement among two or more
6 people to participate in an enterprise that would affect
7 interstate commerce through a pattern of racketeering activity;
8 second, that the defendant knowingly and willfully became a
9 member of that conspiracy; and third, that the defendant agreed
10 that he or another person would commit at least two
11 racketeering and acts.

12 The government would also have to prove that venue was
13 proper in this district by a preponderance of the evidence

14 THE COURT: Thank you. Mr. Campbell, I'm now going to
15 tell you the maximum possible penalty for the crime charged in
16 Count One. The maximum means the most that could possibly be
17 imposed. It does not mean that this is necessarily what you
18 will receive, but by pleading guilty you will expose yourself
19 to the possibility of receiving a punishment or combination of
20 punishments up to the maximum that I'm about to describe. Do
21 you understand that?

22 THE DEFENDANT: Yes, ma'am.

23 THE COURT: The maximum term of imprisonment for the
24 crime charged in Count One is life, life in prison. If are
25 given a prison sentence of less than life, your prison sentence

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1 could be followed by up to five years of supervised release.
2 Supervised release means after your release from prison you
3 will be subject to supervision by the probation department. If
4 you are placed on supervised release and thereafter violate any
5 condition of that supervised release, the Court can revoke the
6 term of supervised release previously imposed and return you to
7 prison without giving you any credit for time previously served
8 on post-release supervision.

9 In addition to these restrictions on your liberty, the
10 maximum possible penalty for the crime charged in Count One
11 includes financial penalties. The maximum allowable fine is
12 \$250,000 or twice the profits of the criminal activity or twice
13 what someone other than yourself lost because of the criminal
14 activity, whichever is greater. You will also be required to
15 pay restitution to any victim or victims of the crime in an
16 amount that the Court decides is required to compensate them
17 for any injuries. And in addition, by pleading guilty you will
18 admit to forfeiture allegations in the indictment and agree to
19 forfeit any property within the scope of Title 18 of United
20 States Code, Section 1963.

21 I am also required by law to tell you there is an
22 additional special assessment, an extra fine of \$100 that is
23 required to be imposed on each count of conviction.

24 Now you told me you're a U.S. citizen, correct?

25 THE DEFENDANT: Yes, ma'am.

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1 THE COURT: The reason I ask that question is for
2 individuals who are not United States citizens a guilty plea
3 may also have adverse consequences for the ability to remain in
4 or return to the United States, including removal, deportation,
5 denial of citizenship, and denial of the permission of United
6 States in the future. For a non-U.S. citizen, removal or
7 deportation may be mandatory, and if that does happen, the
8 non-U.S. citizen will still be bound by his guilty plea, that
9 is, he will not be able to withdraw it regardless of any advice
10 received from counsel or others regarding the immigration
11 consequences of the plea. Do you understand that?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: Has anyone threatened you or coerced you
14 in any way to try to get you to plead guilty?

15 THE DEFENDANT: No, ma'am.

16 THE COURT: I understand you have a written plea
17 agreement. My courtroom deputy is handing it to me. It is a
18 letter dated August 15, 2017, addressed to your attorney,
19 Mr. Koribanics, and it appears to have your signature on the
20 last page, which I am holding up.

21 Did you sign this plea agreement today?

22 THE DEFENDANT: Yes, ma'am.

23 THE COURT: Did you read it before you signed it?

24 THE DEFENDANT: Yes, ma'am.

25 THE COURT: Did you discuss it with your attorney?

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1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: Do you understand its terms?

3 THE DEFENDANT: Yes, your Honor.

4 THE COURT: Has anyone promised you or offered you
5 anything to get you to plead guilty other than what is in the
6 written plea agreement?

7 THE DEFENDANT: No, ma'am.

8 THE COURT: Looking at page 4 of your plea agreement I
9 see that you and the government have reached agreement
10 regarding the appropriate calculation of your sentence under
11 part of our law known as the sentencing guidelines. Is that
12 right?

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: What it says here is that you and the
15 government have agreed that the appropriate guideline
16 sentencing range for you is 108 to 135 months, 108 to 135
17 months in prison, and that the appropriate monetary fine range
18 is 30,000 to \$300,000.

19 Ms. Maimin, why does it say \$300,000 when on page 1
20 you state that the maximum fine is \$250,000?

21 MS. MAIMIN: It's the greatest of \$250,000 or twice
22 the gross pecuniary gain or twice the pecuniary loss.

23 THE COURT: So the \$300,000 is based on that
24 calculation?

25 MS. MAIMIN: \$300,000 is based on the guidelines in

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1 the sentencing guidelines manual for the offense level the
2 defendant is pleading guilty to. The guidelines range is
3 \$30,000 to \$300,000.

4 THE COURT: Thank you very much. I appreciate you
5 clearing that up for me.

6 So Mr. Campbell, you see those ranges there, 108 to
7 135 months imprisonment, and \$30,000 to \$300,000 fine. Do you
8 understand those ranges?

9 THE DEFENDANT: Yes, ma'am.

10 THE COURT: All right. Under this agreement, with
11 certain limited exceptions also set forth on page 4, neither
12 you nor the government is allowed to argue to the sentencing
13 judge for a calculation which is different than the calculation
14 set forth in the agreement. Do you understand that?

15 THE DEFENDANT: Yes, ma'am.

16 THE COURT: Do you also understand that in this
17 agreement you have also limited your right to appeal from any
18 sentence that may be imposed?

19 THE DEFENDANT: Yes, ma'am.

20 THE COURT: Specifically, do you understand that as
21 long as the district judge sentences you to a prison term no
22 longer than 135 months, any lawful sentence of supervised
23 release, and a fine no greater than \$300,000, you are giving up
24 your right to challenge your sentence, whether by direct
25 appeal, writ of habeas corpus, or otherwise?

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1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: Do you understand that under the terms of
3 your plea agreement, even if you later learn that the
4 government withheld from your counsel certain information that
5 would have been helpful to you in defending yourself at trial,
6 you will not be able to complain about that or withdraw your
7 guilty plea on that basis?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Do you understand that under the terms of
10 your plea agreement any recommendations or calculations
11 relating to sentencing are not binding on the sentencing judge?

12 THE DEFENDANT: Yes, ma'am.

13 THE COURT: The sentencing judge could reject those
14 recommendations or calculations and could impose a more severe
15 sentence than you expect without permitting you to withdraw
16 your plea of guilty. The sentencing judge is required to make
17 her own independent calculation of the appropriate sentencing
18 range under the sentencing guidelines. She will also have the
19 discretion to give you a sentence below or above that range up
20 to maximum sentence that I told you about earlier.

21 In addition to the guidelines and possible departure
22 from the guidelines, the sentencing judge will also consider
23 the factors set forth in 18, United States Code, Section
24 3553(a). In other words, the sentencing judge will pronounce
25 whatever sentence she believes is the appropriate sentence for

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1 you, even if that sentence is different from the ones set forth
2 in your plea agreement. Do you understand that?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: In addition, the Court will consider a
5 presentence report prepared by the probation department in
6 advance of your sentencing, and before you're sentenced you and
7 the government will have an opportunity to review that report
8 and challenge any of the facts reported in it.

9 Do you understand there's no parole in the federal
10 system?

11 THE DEFENDANT: Yes, ma'am.

12 THE COURT: If you are sentenced to prison you will
13 not be released on parole. Let me ask both counsel, beginning
14 with the government, if there are any other provisions of the
15 plea agreement you would like me to review with the defendant.

16 MS. MAIMIN: No, your Honor.

17 MR. KORIBANICS: No, thank you, your Honor.

18 THE COURT: Thank you, counsel.

19 And one more time, Mr. Campbell, have any promises
20 been made to you to influence you to plead guilty other than
21 what is actually in your written plea agreement?

22 THE DEFENDANT: No, your Honor.

23 THE COURT: Have any promises been made to you
24 concerning the actual sentence you will ultimately be
25 receiving?

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1 THE DEFENDANT: No, ma'am.

2 THE COURT: You have been advised of the charges
3 against you, the possible penalties you face, and the rights
4 you are giving up. Is it still your intention to plead guilty
5 to Count One of the indictment?

6 THE DEFENDANT: Yes, ma'am.

7 THE COURT: Is your plea voluntary and made of your
8 own free will?

9 THE DEFENDANT: Yes, ma'am.

10 THE COURT: Please stand up.

11 Mr. Campbell, with respect to Count One, how do you
12 plead, guilty or not guilty?

13 THE DEFENDANT: Guilty.

14 THE COURT: You may be seated.

15 Please tell me in your own words what you did that
16 makes you guilty of that crime.

17 THE DEFENDANT: I participated --

18 MR. KORIBANICS: Judge, may I help direct him to --
19 with the Court's permission, direct him into a few questions,
20 direct him into it?

21 THE COURT: Sorry?

22 MR. KORIBANICS: May I direct him into asking one or
23 two questions so I could get a time frame?

24 THE COURT: Any objection?

25 MS. MAIMIN: No, Judge.

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1 THE COURT: Go ahead, counsel.

2 MR. KORIBANICS: Mr. Campbell, you were associated
3 with a group known in the Bronx, New York, as Big Money Bosses,
4 correct?

5 THE DEFENDANT: Yes.

6 MR. KORIBANICS: And during your association with
7 them, which was a time period of about during the time period
8 of the indictment, 2007 and 2016, yours was more like 2014,
9 correct?

10 THE DEFENDANT: Yes.

11 MR. KORIBANICS: And during that occasion, tell the
12 judge what you did on two occasions on their behalf and with
13 agreement of two or more people on behalf of Big Money Bosses.

14 THE DEFENDANT: I participated in at least two
15 narcotics transactions.

16 MR. KORIBANICS: What was that narcotic you were
17 selling? Was it crack cocaine?

18 THE DEFENDANT: Yes, sir.

19 MR. KORIBANICS: And you agreed that it was over
20 280 grams, correct?

21 THE DEFENDANT: Yes, sir.

22 THE COURT: Mr. Campbell, tell me the name of the
23 group you were involved with?

24 THE DEFENDANT: Big Money Bosses.

25 THE COURT: And did you voluntarily join the Big Money

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1 Bosses?

2 THE DEFENDANT: Yes, ma'am.

3 THE COURT: You say that you sold narcotics on two
4 occasions, is that right?

5 THE DEFENDANT: Yes, ma'am.

6 THE COURT: And what narcotic did you sell?

7 THE DEFENDANT: Crack cocaine.

8 THE COURT: On both occasions?

9 THE DEFENDANT: Yes, ma'am.

10 THE COURT: Where did you do that?

11 THE DEFENDANT: East 224th Street.

12 THE COURT: And is that in the Bronx, New York?

13 THE DEFENDANT: Yes, ma'am.

14 THE COURT: And when you sold narcotics, tell me about
15 what kind of drugs it was.

16 THE DEFENDANT: Crack cocaine.

17 THE COURT: When you sold crack cocaine on those two
18 occasions in the Bronx, did you enter into any agreement with
19 any person to do that?

20 THE DEFENDANT: No, ma'am.

21 THE COURT: You just came up with it all by yourself
22 or was it part of a group agreement?

23 THE DEFENDANT: It was part of a group agreement.

24 THE COURT: So is it fair to say that you did agree
25 with other persons to engage in those narcotic sales?

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1 THE DEFENDANT: Yes, ma'am.

2 THE COURT: On both occasions?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: And at the time that you engaged in the
5 activities you just described to me, did you know that what you
6 were doing was wrong?

7 THE DEFENDANT: Yes, ma'am.

8 THE COURT: Ms. Maimin, would like me to ask any other
9 questions of the defendant?

10 MS. MAIMIN: No, your Honor, I will simply note that
11 crack cocaine is not manufactured or sold in New York.

12 THE COURT: All right.

13 MS. MAIMIN: Or grown in New York. Sorry.

14 THE COURT: Does the government represent that it has
15 sufficient evidence to establish guilt beyond a reasonable
16 doubt at trial, and would you like to make a proffer?

17 MS. MAIMIN: Yes, your Honor. If this case proceeded
18 to trial the government would prove that the defendant was a
19 member of the Big Money Bosses, or BMB, which was a violent
20 street gang that controlled territory in the northern Bronx,
21 committed various acts of violence, including murder, attempted
22 murder and robbery, and sold drugs, including crack cocaine and
23 marijuana, that this defendant was a member of BMB who agreed
24 to sell crack cocaine with other members of the gang on
25 numerous occasions during the time period between 2007 and

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1 2016.

2 THE COURT: Thank you.

3 Mr. Campbell, on the basis of your answers to my
4 questions and my observation of your demeanor here in court, I
5 find that you are competent to enter a guilty plea. I'm
6 satisfied that you understand your rights, including your right
7 to go to trial, that you are aware of the consequences of your
8 plea, including the sentence that may be imposed, that you are
9 voluntarily pleading guilty, and that you have admitted that
10 you are guilty as charged in Count One of the indictment. For
11 these reasons, I will recommend that the district judge accept
12 your plea.

13 I will ask the government to order a copy of the
14 transcript and to submit it to Judge Nathan together with the
15 additional paperwork that she will need to act on my
16 recommendation.

17 Has she set a sentencing date?

18 MS. MAIMIN: Yes, your Honor, November 30, 2017, at
19 12:45 p.m.

20 THE COURT: Mr. Campbell, you will be sentenced on
21 November 30 of this year unless the district judge changes that
22 date. I will direct that a presentence report be prepared.

23 Ms. Maimin, can you deliver the case summary to the
24 probation department within two weeks?

25 MS. MAIMIN: Yes.

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1 THE COURT: And Mr. Koribanics, can you be available
2 for interview within two weeks?

3 MR. KORIBANICS: Absolutely, Judge.

4 THE COURT: With your client?

5 MR. KORIBANICS: Yes, Judge.

6 THE COURT: Okay. Good. Mr. Campbell will remain
7 detained, is that correct?

8 MR. KORIBANICS: Judge, that's my understanding, yes.

9 THE COURT: Okay. Anything further on this matter
10 from either side?

11 MS. MAIMIN: Not from the government.

12 MR. KORIBANICS: No, thank you very much, Judge.

13 THE COURT: Thank you, counsel, Mr. Campbell. We're
14 adjourned.

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